



3200 Devine Street, Suite 103
Columbia, South Carolina 29205
info@garberreporting.com
Telephone: (803) 256-4500

MATTHEW ROCKENSTYRE

August 12, 2024

Jonathan Lewis

VS

Circle K Stores, Inc., and John Doe

4:23-CV-01720-JD

REPORTER: Rita Rodriguez

<p style="text-align: right;">10</p> <p>1 Q. When did you get the basic EMT certification? 2 A. 2021, approximately. 3 Q. Were you living in South Carolina then? 4 A. Yes. 5 Q. Where did you get that certification from? 6 A. Horry County Fire Rescue. 7 Q. How long did that certification take? 8 A. Three months. 9 Q. For the basic certification? 10 A. In the academy, yeah. 11 Q. What about that advanced EMT, what does that 12 entail? 13 A. It just -- take a national registry exam, so 14 class hours a couple of times a week. 15 Q. Do you still work for Horry County Fire Rescue? 16 A. Yes. 17 Q. How long have you worked for them? 18 A. Three years, approximately. 19 Q. Have you ever worked as an EMT anywhere else? 20 A. No. 21 Q. Has your role with Horry County Fire Rescue been 22 just an EMT or have you served in other roles? 23 A. Firefighter EMT. 24 Q. Do you do that full time? 25 A. Yes.</p>	<p style="text-align: right;">12</p> <p>1 MS. BROWN: I'm going to go ahead and 2 introduce the record as Defendant's Exhibit 1. 3 (HORRY COUNTY FIRE RESCUE PATIENT CARE RECORD 4 REGARDING JONATHAN LEWIS MARKED FOR 5 IDENTIFICATION AS DEFENDANT'S EXHIBIT NO. 1.) 6 BY MS. BROWN: 7 Q. I hand this to you (handing). Can you look at 8 this record and tell me what time you arrived on 9 the scene that day? 10 A. I haven't looked at it in this form. 11 Q. That's okay. Take your time. 12 A. Not in this format. I don't see it on here. 13 Q. Turn to Page 2 and see, you would know better 14 than I would, under the Destination Details and 15 Incident Times column. 16 A. There we go. 11:32:50. 17 Q. Does that comport with what you remember about 18 that day? 19 A. Yes. 20 Q. What did you do when you arrived on scene? 21 A. I got out and addressed the patient. 22 Q. What is your kind of go-to protocol for talking 23 to a patient on scene? 24 A. Introduce yourself, ask what's going on, why are 25 we here?</p>
<p style="text-align: right;">11</p> <p>1 Q. What is your supervisor's name? 2 A. At what level, a direct? 3 Q. Yes, direct supervisor. 4 A. Michael Blanks. 5 Q. How long has he been your supervisor? 6 A. Approximately a year. 7 Q. Who would your supervisor have been back in 8 October of 2022? 9 A. I switched shifts. It would be him or Joseph 10 Fisher. I don't remember the exact dates. 11 Q. That's okay. Do you have any side businesses or 12 other jobs aside from your Horry County Fire 13 Rescue job? 14 A. No. 15 Q. Have you ever applied to work at a Circle K or 16 other convenience store? 17 A. No. 18 Q. Let's switch gears a little bit and talk about 19 October 19, 2022. You were dispatched to a 20 Circle K store in Myrtle Beach on that date, 21 correct? 22 A. Yes. 23 Q. And I think you told me earlier you reviewed the 24 record from that day? 25 A. Yes.</p>	<p style="text-align: right;">13</p> <p>1 Q. So, in other words, do you kind of take a history 2 from the patient? 3 A. Yes. 4 Q. And you do that by asking them what happened, it 5 sounds like? 6 A. Yes. 7 Q. It looks like here on Page 2 at the top, towards 8 the top, you also take a narrative about what 9 happened before, during and after your time on 10 the scene. Is that fair? 11 A. Yes. 12 Q. What facts do you consider when you're drafting 13 that portion of the report? 14 A. What the patient states happened. What we 15 physically see happened. 16 Q. Is it important to get the patient's account of 17 what happened? 18 A. Yes. 19 Q. What did Mr. Lewis tell you what happened on this 20 day? 21 A. He felt a pop in his knee, went down in pain. 22 Q. Your narrative about how that injury occurs is 23 based entirely on what the patient tells you, 24 right? 25 A. Correct.</p>

<p style="text-align: right;">14</p> <p>1 Q. Is the narrative on Page 2 of that report an</p> <p>2 accurate description of what Mr. Lewis told you</p> <p>3 occurred that day?</p> <p>4 A. Yes.</p> <p>5 Q. Is there anything else that he would have told</p> <p>6 you that day that did not make it into this</p> <p>7 report?</p> <p>8 A. No.</p> <p>9 Q. Is there anything else you want to tell me about</p> <p>10 that day that is not included in this report?</p> <p>11 A. No.</p> <p>12 Q. Is there anything that you thought we may talk</p> <p>13 about today that we didn't?</p> <p>14 A. No.</p> <p>15 Q. Okay, I think that's all I have for you.</p> <p>16 EXAMINATION BY MR. SANDEFUR:</p> <p>17 Q. I have got a couple for you. Typically, when do</p> <p>18 you typically draft the narrative, how long after</p> <p>19 the contact with the patient do you draft the</p> <p>20 narrative?</p> <p>21 A. Preferably as soon as possible.</p> <p>22 Q. Do you write it out or do you dictate it?</p> <p>23 A. Write it.</p> <p>24 Q. The narrative states, "PT states they felt a pop</p> <p>25 in their knee which caused them to fall." And</p>	<p style="text-align: right;">16</p> <p>1 impressions of extremity pain, knee pain and</p> <p>2 extremity pain, primary, with him not</p> <p>3 experiencing pain in that leg?</p> <p>4 A. It could have been a mistake.</p> <p>5 Q. Which could have been a mistake?</p> <p>6 A. Typing. Human error.</p> <p>7 Q. So, human error of which part?</p> <p>8 A. Typing, auto fill-in.</p> <p>9 Q. So, is it, given the nature -- do you know what</p> <p>10 kind of injury Mr. Lewis had?</p> <p>11 A. The final prognosis?</p> <p>12 Q. Yeah.</p> <p>13 A. No, no follow up on any of that.</p> <p>14 Q. Got you. So, we have the report that we're</p> <p>15 looking at, Defendant's Exhibit 1. It looks like</p> <p>16 we have entries of extremity pain, but then we</p> <p>17 also have an entry that the patient was not</p> <p>18 experiencing pain.</p> <p>19 Would you agree that one of those is not</p> <p>20 accurate?</p> <p>21 A. Yes.</p> <p>22 Q. So, that would be an error, either an input or</p> <p>23 auto correct or whatever it is with the report?</p> <p>24 A. Correct.</p> <p>25 Q. Do you have any independent recollection of your</p>
<p style="text-align: right;">15</p> <p>1 there is a comment that says, "and are not</p> <p>2 experiencing pain in that leg."</p> <p>3 Do you know, what were you trying to say</p> <p>4 there?</p> <p>5 A. PT is patient. States he felt a pop and fell.</p> <p>6 Q. And then after the comma, "and are not</p> <p>7 experiencing pain in that leg." Obviously there</p> <p>8 is a, something didn't get translated right or</p> <p>9 there may be a typo in that, but "and are not</p> <p>10 experiencing pain in that leg," what do you mean</p> <p>11 by that?</p> <p>12 A. Currently were not experiencing.</p> <p>13 Q. If you look at the first page of Defendant's</p> <p>14 Exhibit 1 under Clinical Impression, Primary</p> <p>15 Impression, it says "extremity pain." Would that</p> <p>16 have been something you put on there?</p> <p>17 A. Yes.</p> <p>18 Q. And then Chief Complaint it says "knee pain."</p> <p>19 A. Yes.</p> <p>20 Q. And then Signs and Symptoms, "Extremity Pain" in</p> <p>21 parens, "primary." Is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. So, you would have put those as well?</p> <p>24 A. Yes.</p> <p>25 Q. How do we know or how do we correlate clinical</p>	<p style="text-align: right;">17</p> <p>1 encounter with Mr. Lewis?</p> <p>2 A. Vague.</p> <p>3 Q. It was a long time ago, wasn't it?</p> <p>4 A. Yeah.</p> <p>5 Q. So, when you were answering Miss Brown's</p> <p>6 questions, your recollection of what happened or</p> <p>7 your recollection of your experience with Mr.</p> <p>8 Lewis, that was based solely on your report</p> <p>9 that's been marked as Defendant's Exhibit 1?</p> <p>10 A. Yes.</p> <p>11 Q. And you've already said that there is at least</p> <p>12 some mistake in this report because we have</p> <p>13 reports of pain and then we have a report of no</p> <p>14 pain, right?</p> <p>15 MS. BROWN: Object to the form. You</p> <p>16 can answer.</p> <p>17 A. Yes.</p> <p>18 Q. So, is it also possible that in the transcription</p> <p>19 of what Mr. Lewis told you about how he fell or</p> <p>20 what caused him to fall, that could also be maybe</p> <p>21 misinterpreted or miswritten or something was</p> <p>22 lost in translation when his report to you made</p> <p>23 it to this report?</p> <p>24 MS. BROWN: Object to the form. You</p> <p>25 can answer.</p>